

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

1. KATARA M. EASON,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-19-734-HE
)	
1. OKLAHOMA CITY UNIVERSITY,)	
)	
Defendant.)	Jury Trial Demanded Attorney Lien Claimed

COMPLAINT

COMES NOW THE PLAINTIFF, and for her cause of action herein alleges:

PARTIES

1. The Plaintiff is Katara M. Eason, an African American female, who resides in Cleveland County, Oklahoma.
2. The Defendant is Oklahoma City University (hereafter OCU), a Domestic Not For Profit Corporation operating in Oklahoma County, Oklahoma.

JURISDICTION AND VENUE

3. This is a cause of action for discrimination based on race in violation of 42 U.S.C. § 1981 and Title VII of the Civil Rights Act of 1964.
4. All the actions complained of occurred in Oklahoma County, Oklahoma, and Defendant may be served in that county, wherefore, venue is proper in this Court under 28 U.S.C. § 1391(b).

STATEMENT OF FACTS

5. Plaintiff is an adult female who was employed by Defendant from approximately August 1, 2016, until her wrongful discharge on or around May 1, 2018.

6. Defendant, at all relevant times, employed more than fifteen (15) employees in each week of the year before, during, and after the Plaintiff's termination.
7. From Plaintiff's initial hire date until her termination, the Plaintiff worked under the job title of Clinical Instructor of Nursing.
8. Plaintiff held the qualifications required for her job position, and during all periods of employment Plaintiff was performing in a satisfactory manner.
9. On or around the first week of the fall 2016 semester, the Chair of Traditional BSN Program and Associate Professor, Diana Blackmon (Caucasian) stated words to the effect of, you guys (Plaintiff and Ms. Hughes) were hard to find. Two Black RNs with master degrees. Ms. Blackmon's comment was directed towards Plaintiff and nursing instructor, Rosie Hughes (African American). Plaintiff was one (1) of two (2) African American nursing instructors hired during the August 2016 school year.
10. During Plaintiff's employment with Defendant, Plaintiff experienced differential treatment from her supervisors due to Plaintiff's race. Plaintiff was isolated and avoided by her supervisors, and Plaintiff was treated less favorably than her Caucasian co-workers, which included leaving Plaintiff out of activities and not including Plaintiff in daily conversations.
11. On or around February 2018, Plaintiff requested a meeting and met with Chief Human Resources Officer, Joey Croslin. During this meeting, Plaintiff made a series of complaints regarding the differential treatment Plaintiff was experiencing from her supervisors due to her race. To Plaintiff's knowledge, no responsive action was taken, and Plaintiff's supervisors continued to treat Plaintiff less favorably than her Caucasian co-workers.
12. On or around March 21, 2018, the Dean and Professor of Nursing, Lois Salmeron (Caucasian), gave Plaintiff a handwritten note for Plaintiff's birthday

written on a “Monkey Doodle” notepad. The paper displayed an image of a monkey and stated “Monkey Doodles” at the top of the paper. Plaintiff informed Ms. Salmeron that as an African American, the birthday greeting written on a piece of paper with an image of a monkey was very offensive to her (Plaintiff). Ms. Salmeron immediately dismissed Plaintiff’s remarks and simply stated words to the effect of, it’s not just for you (Plaintiff). I give those to everyone.

13. On or around March 24, 2018, approximately three (3) days following Ms. Salmeron’s offensive behavior and remarks, Plaintiff sought additional assistance from the human resource department. Plaintiff provided the offensive “birthday greeting” from Ms. Salmeron to human resources and again complained of and reported race discrimination. To Plaintiff’s knowledge, no remedial action was taken in response to Plaintiff’s repeated complaints.
14. On or around April 6, 2018, Plaintiff was informed by Diana Blackmon, Caucasian, associate professor and Plaintiff’s immediate supervisor, that Plaintiff’s contract would not be renewed for the 2018-2019 school year. No reason was given for this action. Plaintiff continued working for Defendant until on or around May 1, 2018.
15. As a direct result of the Defendant’s conduct, Plaintiff has suffered - and continues to suffer- wage loss (including back, present and front pay along with the value of the benefits associated with such wages) and emotional distress/dignitary harm including worry, stress, frustration and similar unpleasant emotions.
16. At the least, the motivating factors in the decision to terminate the Plaintiff was her race.

17. Plaintiff has exhausted her administrative remedies under Title VII and the OADA by timely filing an EEOC charge of discrimination with the EEOC formalized into a written charge signed by the Plaintiff on October 11, 2018. The EEOC issued Plaintiff her right to sue letter on May 15, 2019, and Plaintiff received such letter thereafter. This complaint is timely filed within ninety (90) days of Plaintiff's receipt of her right to sue letter.
18. Plaintiff is not required to exhaust any administrative remedies under 42 U.S.C. § 1981.

COUNT I

Plaintiff incorporates the above allegations and further alleges:

19. Race discrimination violates Title VII and 42 U.S.C. § 1981.
20. Under this Count Plaintiff is entitled to her wage loss (including back, present and front pay along with the value of benefits associated with such wages) and emotional distress/dignitary harm damages.
21. Because the Defendant's conduct was willful or at the least in reckless disregard of Plaintiff's rights, Plaintiff is entitled to an award of punitive damages.
22. Plaintiff is also entitled to an award of attorney fees/costs.

PRAYER

WHEREFORE, Plaintiff prays that she be awarded her actual and punitive damages herein together with costs, pre- and post-judgment interest and attorney's fees and any other relief as may be appropriate.

RESPECTFULLY SUBMITTED THIS 12TH DAY OF AUGUST, 2019.

HAMMONS, HURST, RICHARDS
& ASSOCIATES

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